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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,171	01/22/2001	John J. Cahill	TGC 10 Par.Res	9128
41223	7590	03/07/2005	EXAMINER	
PAUL HENTZEL 441 NEVADA AVENUE PALO ALTO, CA 94301-4122			BROOKS, MATTHEW L	
			ART UNIT	PAPER NUMBER

3629

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/766,171

Applicant(s)

CAHILL ET AL.

Examiner

Matthew L. Brooks

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/22/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Drawings***

1. The drawings are objected to because in FIG 1 "Party Historical Database" is labeled 14P, which does not correspond to the specification which states on page 7 of the application and throughout that "Party Historical Database" is 14H. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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Specification

2. The disclosure is objected to because of the following informalities: FIG 1 "Party Historical Database" is labeled 14P which does not correspond to the specification which states on page 7 of the application and throughout that "Party Historical Database" is 14H. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Haynes et al. (6,816,085).

As per Claim 1.

Haynes ('085) discloses:

A method of reserving parking spaces (Fig. 4) through an electronic communication network (Column 6, 17-22) in response to reservation requests (Fig. 4);

comprising the steps of: providing a parking area server which is accessible for two-way communication (Column 2, 16-20) (the examiner considers that if Haynes can receive a reservation, is capable of transmitting a map, and letting requesting party know reservation is denied or accepted the System or parking area server is two-way.

Haynes system stores parking space data in a space attribute database, identifying each parking space in the parking area by a unique space ID (Column 4, 28- 38) (the examiner considers optimal parking space of Haynes to be a unique space ID), the optimal parking space defines one or more parking space attributes for each parking space,

monitoring the parking area through parking space monitors positioned in the parking area proximate the parking spaces (Column 2, 32-42), for detecting the presence or absence of vehicles in the parking spaces defining a current empty/occupied status for each parking space (Column 13, 35-37), and accessible for server communication for providing the empty/occupied status to the server; (Column 13, 35-37)

maintaining time-based parking space availability data in an availability status database in response to reservations from the server and to empty/occupied status from the monitors (Column 4, 27-30), defining an

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availability attribute schedule for each parking space in the parking area (Column 4, 30-33), and in data communication with the server for providing availability data to the server; (Fig. 4 and Column 13,35-39).

receiving a reservation request communication from a requesting party to the server via the electronic communication network (Fig. 4 4070 and Column 4, 50-55), requesting a reservation for a parking space in the parking area specifying one or more requested attributes; (Column 13, 56-60)

determining the availability of parking spaces having the requested attributes from the availability data in the availability status database and from the parking space data in the space attribute database; (Fig. 4, 4050 and Column 13, 60-64)

rejecting the reservation request from the requesting party if no parking space having the requested attributes is available; (Column 13, 62-65)

accepting the reservation request from the requesting party if a parking space having the requested attributes is available; (Column 13, 57-60 and Fig. 4 4080)

and reserving the parking space having the requested attributes for the requesting party using the unique space ID (Column 13, 66-67 and Fig. 4).

5. With respect to Claim 2 and 3: Haynes et al. discloses wherein one of the requested attributes is a reservation of a fixed duration (Column 14, 1). (Inherently a "fixed amount" of time has a starting time and terminating time).

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6. With respect to Claim 4: Haynes et al. discloses, detecting a vehicle parked beyond a specified time and furthermore upon such an event notifying the requesting party that time has expired (Column 15, 37-38 and Column 16, 31-38).

7. With respect to Claim 5: Haynes et al. discloses, wherein the requested attributes include specified conditions within the parking area of the reserved parking space (Column 13, 20-35).

8. With respect to Claim 6: Haynes et al. discloses, wherein one of the requested attributes is location within the parking area of the reserved parking space (Column 4, 30-38 and Column 13, 23-29).

9. With respect to Claim 7: Haynes et al. discloses, wherein one of the requested attributes is loading and unloading capability of the reserved parking space (Column 4, 30-38 and Column 4, 43-45)(A parking location requested near a building's entrance or exit is inherently better for loading and unloading).

10. With respect to Claim 8: Haynes et al. discloses, wherein one of the requested attributes is dimensions of the reserved parking space (Column 13, 31-32).

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11. With respect to Claim 9: Haynes et al. discloses, wherein one of the requested attributes specifies a plurality of the parking spaces (Column 14, 1-2).

12. With respect to Claim 10: Haynes et al. discloses, wherein one of the parking space attributes is a charge rate attribute (Column 5, 30-35).

13. With respect to Claim 11: Haynes et al. discloses, further comprising after the determining step and before the reserving step, the additional step of presenting to the requesting party the charge rate attribute for the space having the requested attributes (Column 12, 62-64 and Column 13, 3-6).

14. With respect to Claim 12: Haynes et al. discloses, the additional step of electronically collecting a fee based on the charge rate for the accepted parking space (Column 12, 62-64 and Column 13, 3-6).

15. With respect to Claim 13: Haynes et al. discloses, the additional step of notifying the requesting party of the reserved parking space (Fig. 4, 4060 and Column 13. 45-48).

16. With respect to Claim 14: Haynes et al. discloses, after the reserving step, the additional step of updating the availability status database as to the now unavailability of the just reserved parking space (Column 13, 62-64 and Column

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14, 4-8).

17. With respect to Claim 15: Haynes et al. discloses, wherein the accessible server communication is continuous one-way communication from the monitors to the server (Column 2, 53-56)

18. With respect to Claim 16: Haynes et al. discloses, wherein the accessible server communication is continuous two-way communication between the monitor to the server (Column 3, 2-5)

19. With respect to Claim 17: Haynes et al. discloses, the additional step of sending an image of the floor plan of the parking area to the requesting party indicating the available parking spaces (Column 13, 13-19).

20. With respect to Claim 18: Haynes et al. discloses, further comprising after the rejecting step, the additional steps of: selecting an alternate available parking space; and submitting the alternate available parking space to the requesting party (Column 13, 63-65).

21. With respect to Claim 19: Haynes et al. discloses, wherein the alternate parking space is a substitute space having substitute attributes based on the requested attributes (Fig. 4, 4050 and Column 13, 35-39).

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22. With respect to Claim 20: Haynes et al. discloses, further comprising the additional step of maintaining a requesting party historical database in data communication with the server for certain requesting parties identified by a unique party ID defining one or more historically requested attributes (Column 11, 10-24). Examiner notes that "particular" parker is the same as unique party ID.

23. With respect to Claim 21: Haynes et al. discloses, wherein the alternate parking space is a historical space having attributes based on historically requested attributes (Column 11, 10-24).

24. With respect to Claim 22: Haynes et al. discloses, further comprising after the reserving step, the additional step of updating the historical database with the attributes requested by the requesting party (Column 11, 10-24). Examiner notes that this step is what Haynes refers to as learning.

25. With respect to Claim 23: Haynes et al. discloses, further comprising after the alternate submitting step and before the determining step, the additional step of receiving an alternate reservation request during the reservation request communication specifying alternate attributes (Column 13, 60-67).

Conclusion

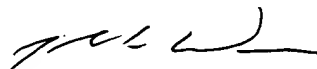
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26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure include Racunas, Patent Number 6,501391.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew L. Brooks whose telephone number is (703) 605-1202. The examiner can normally be reached on Monday - Friday; 8 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703-605-1202. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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3/1/2005